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08-26-1998

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U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks

100802376

he attached original documents or copy thereof.

1. Name of conveying party(ies):

**COAST BUSINESS CREDIT, a division of
Southern Pacific Bank
12121 Wilshire Blvd., Suite 1111
Los Angeles, CA 90025**

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation-State **California**
☐ Other _____

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: **October 22, 1997**

2. Name and address of receiving party(ies)

Name: **NATIONAL BEDDING COMPANY**

Internal Address:

Street Address: **5401 Trillium Blvd.,
Suite 250**City: **Hoffman Estates** State: **IL** ZIP: **60195**

- ☐ Individual(s) citizenship
☐ Association
☐ General Partnership
☐ Limited Partnership

☒ Corporation-State **Illinois**☐ Other _____If assignee is not domiciled in the United States, a domestic representative designation is attached? ☐ Yes ☒ No

(Designations must be a separate document from assignment)

Additional name(s) & address(es) attached? ☐ Yes ☒ No

U.S. Patent & TMO/TM Mail Rpt Dt. #70

4. Application number(s) or patent number(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(

08-11-1998

Ortho (Reg. No. 940485)

Additional numbers attached? ☒ Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Mr. Sigi Hinojosa
Name: Buchalter, Nemer, Fields & Younger

Internal Address: _____

Street Address: **601 South Figueroa Street, 24th Floor**City: **Los Angeles** State: **California** ZIP: **90017**

6. Total number of applications and registrations involved:

5

7. Total fee (37 CFR 3.41) \$ **140.00**☐ Enclosed☒ Authorized to be charged to deposit account

8. Deposit account number:

20 0052

(Attach duplicate copy of this page if paying by deposit account)

08/24/1998 TTOM11 00000002 200052 940485

01 FC:401

40.00 CH

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

MR. SIGI HINOJOSA

Name of Person Signing

Christine E. Wilson

Signature

August 7, 1998

Date

Total number of pages including cover sheet, attachments, and document: ☐

TRADEMARK

REEL: 1773 FRAME: 0872

SCHEDULE A

INTELLECTUAL PROPERTY

1. Federal Registrations:

- (a) Mark: ORTHO
Registration No.: 940485 ✓
Date of Registration: 8/8/72
Class: 32 (Int. Class 20)
Goods: Mattresses and Box Springs
Combined Sections 8 and 15 Affidavit Filed
- (b) Mark: ORTHO PAK
Registration No.: 1,565,990 ✓
Date of Registration: 11/14/89
Goods: Pillows and Bed Frames, Bedding Sheets, Pillowcases and Blankets
- (c) Mark: ROYAL SUPPORT COLLECTION
Registration No.: 1,575,015 ✓
Date of Registration: 1/2/90
Goods: Mattresses and Box Springs
- (d) Mark: ORTHO
Registration No.: 1,611,691 ✓
Date of Registration: 8/28/90
Goods: Retail Store Services in the Field of Bedding Products
- (e) Mark: ORTHO ✓
Registration No.: 1,555,250
Date of Registration: 9/5/89
Goods: Retail Store Services in the Field of Mattresses, Box Springs and Other Bedding Products

ASSIGNMENT

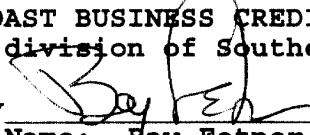
THIS ASSIGNMENT, dated as of October 22, 1997, is entered into by and between COAST BUSINESS CREDIT, a division of Southern Pacific Bank, a California corporation ("Assignor") and NATIONAL BEDDING COMPANY, an Illinois corporation, dba Serta Mattress Company ("Assignee"), with reference to the following facts:

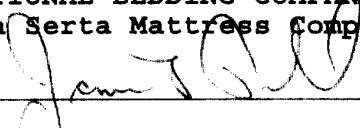

WHEREAS, pursuant to that certain Loan and Security Agreement, dated July 3, 1996, entered into between American Furnishings Corp., a California corporation (the "Company"), and Assignor, the Company assigned and granted to Assignor a security interest in all its right, title and interest in and to its personal property assets, including the trademarks, service marks and other rights more particularly described in Schedule A attached hereto (collectively, the "Intellectual Property").

WHEREAS, contemporaneously herewith, Assignor and Assignee are entering into that certain Assignment Agreement (the "Agreement"), dated as of October 22, 1997, pursuant to which Assignor is assigning, among other things, all of its right, title and interest in and to the Company's personal property assets, including the Intellectual Property, as more particularly described in the Agreement.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Assignor hereby sells, assigns, transfers and delivers to Assignee, and Assignee hereby purchases, all of Assignor's right, title and interest, including all rights of action and damages for past infringement, in and to the Intellectual Property, together with the goodwill of the business in connection with which said Intellectual Property is used or as symbolized thereby, subject to the terms and conditions of the Agreement.

IN WITNESS WHEREOF, the undersigned have executed this Assignment as of the date first above written.

COAST BUSINESS CREDIT,
a division of Southern Pacific Bank
By 
Name: Ray Fetner
Title: Executive Vice President

NATIONAL BEDDING COMPANY,
dba Serta Mattress Company
By 
Its  VP-CFO

SCHEDULE A
INTELLECTUAL PROPERTY

1. Federal Registrations:

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Registration No.: 940485
Date of Registration: 8/8/72
Class: 32 (Int. Class 20)
Goods: Mattresses and Box Springs
Combined Sections 8 and 15 Affidavit Filed
- (b) Mark: ORTHO PAK
Registration No.: 1,565,990
Date of Registration: 11/14/89
Goods: Pillows and Bed Frames, Bedding Sheets, Pillowcases and Blankets
- (c) Mark: ROYAL SUPPORT COLLECTION
Registration No.: 1,575,015
Date of Registration: 1/2/90
Goods: Mattresses and Box Springs
- (d) Mark: ORTHO
Registration No.: 1,611,691
Date of Registration: 8/28/90
Goods: Retail Store Services in the Field of Bedding Products
- (e) Mark: ORTHO
Registration No.: 1,555,250
Date of Registration: 9/5/89
Goods: Retail Store Services in the Field of Mattresses, Box Springs and Other Bedding Products

2. State Registrations:

- (a) Arizona

Mark: ORTHO MATTRESS
Registration No.: 16776
Date of Registration: 3/20/69
Renewed: 3/27/79
Goods: Furniture and Upholstery

(b) Nevada

Mark: ORTHO MATTRESS SLEEP CENTERS
Registration No.: 0087416
Date of Registration: 3/27/89
Goods: Retail Stores Selling Mattresses, Box Springs, Beds,
Upholstered Furniture and Occasional Furniture

3. Mattress and Box Springs Trademarks (Unregistered):

Ortho Mattress
Ortho Balance
Ortho Quilted Sleeper
Ortho Daybed
Ortho Premier
Ortho Serenity Regal
Ortho Genic
Ortho Flex
Ortho Form
Ortho Tension
Ortho Perma Redic
Ortho Splendor
Ortho Posture
Ortho Royale
Ortho Mission
Ortho Deluxe
Ortho Crown
Ortho Aristocat
Ortho Blue Shield
Ortho Posture Quilt
Ortho Classic
Ortho Bunke
Ortho Ease
Ortho Balboa
Ortho Siesta
Ortho Prestige Extra Firm
Ortho Quilt
Ortho Rest
Ortho Hotel
Ortho Comfort
Ortho Magic
Ortho Cloud
Ortho Slumber
Ortho Rite

Ortho Prestige
Ortho Regal
Ortho Hi Riser
Ortho Adjustable
Ortho Elegance
Ortho Sleep
Ortho Support
Ortho Guard
Ortho Fashion
Ortho Luxury
Ortho Imperial
Ortho Pak
Ortho Contract Motel
Ortho Motel Apartment
Ortho Motel Special
Ortho Hospital
Ortho Hotel Deluxe
Ortho Grand Hotel
Ortho Posture Rest

4. Upholstery Trademarks (Unregistered):

Avon
Cambridge
Hampshire
Oakdale
Oxford
Saratoga
Tahoe
Windsor
Belaire
Manhattan
Westminster
Manchester
York
Bristol
Andover
Essex
Devon
Queen Anne
Chelsea

5. Corporate Names and Trade Names

Ortho Mattress, Inc.
Ortho Mattress
Ortho Mattress Company

6. Service Marks

Ortho
Ortho Mattress

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